

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

WALTER L. HARVEY,

Petitioner,

v.

MAUREEN BAIRD,

Respondent,

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No. 4:16-CV-798 RLW

MEMORANDUM AND ORDER

This matter is before the Court on the petition of Walter Harvey for a writ of habeas corpus under 28 U.S.C. § 2241.¹ The petition is denied.

Petitioner was convicted of kidnapping and rape in 1983. *United States v. Harvey*, No. 4:83-CR-11 (D) (E.D. Mo.). He was given an aggregate sentence of 120 years' imprisonment, to be served concurrently with a state sentence he was serving at the time.

Petitioner challenges the manner in which the BOP has calculated his sentence. He seeks an order directing the BOP "to correct all files and records, including parole files of the U.S. Parole Commission."

This Court lacks jurisdiction over the manner in which the BOP calculates prison terms. Moreover, § 2241 petitions must be filed in the judicial district where the petitioner is located, in this case the Southern District of Illinois. *See* 28 U.S.C. § 2241(a); *Rumsfeld v. Padilla*, 542 U.S. 426, 442 (2004). As a result, the petition is denied.

Accordingly,

¹ Petitioner titled his petition "Motion for Clarification." However, the nature of the motion is that of general habeas corpus under § 2241.

IT IS HEREBY ORDERED that petitioner's motion for leave to proceed in forma pauperis [ECF No. 2] is **GRANTED**.

IT IS FURTHER ORDERED that the petition for writ of habeas corpus is **DENIED**, and this action is **DISMISSED** with prejudice.

An Order of Dismissal will be filed separately.

Dated this 7th day of June, 2016.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE